

AO 91 (Rev. 02/09) Criminal Complaint

Felony

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States District Court
Southern District of Texas
FILED

DEC 18 2014

David J. Bradley, Clerk of Court

United States of America

v.

Case No. B-14-1135-MJ

- (1) GONZALEZ Salazar, Angel
(2) CALDERON Enrique, Jonas Josue
(3) ZAMORA De La Rosa, Mario Jesus
(4) RAMIREZ Pesero, Jose Guadalupe
(5) GARZA Gallegos, Hugo Alberto

CRIMINAL COMPLAINT

Defendant

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of December 18, 2014 in the county of Cameron in the Southern District of Texas, the defendant violated 21 U.S.C. § 841a(1) & 846,

an offense described as follows:

Knowingly and intentionally possess with intent to distribute approx. 136.14 kgs. of marijuana, Schedule I controlled substance under CSA of 1970; Conspiracy to possess with intent to distribute the same 136.14 kgs. of marijuana.

This criminal complaint is based on these facts:

See attachment.

☐ Continued on the attached sheet.


Complainant's signature

Elias L. Gonzalez, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: December 18, 2014


Judge's signature

City and state: Brownsville, Texas

Ronald G. Morgan, U.S. Magistrate Judge

Printed name and title

United States

V.

GONZALEZ Salazar, Angel
CALDERON Enriquez, Jonas Josue
ZAMORA De La Rosa, Mario Jesus
RAMIREZ Pesero, Jose Guadalupe
GARZA Gallegos, Hugo Alberto

ATTACHMENT
(AFFIDAVIT CONTINUED)

On December 17, 2014, at approximately 6:15 p.m., Fort Brown Border Patrol Agent (BPA) Ruben Aguilar was conducting still watch operations at the City of Brownsville landfill using a mobile FLIR Camera, when he observed approximately six to eight subjects coming from the Rio Grande River just south of the intersection of Florida Road and Oklahoma Road. BPA Aguilar relayed the information via service radio. Agent Hector Guerra responded and conducted still watch operations near the intersection of Hockaday Street and Oklahoma Road. At approximately 7:00 p.m., BPA Guerra observed six to eight subjects running across Oklahoma Road west near the intersection of Hockaday Street and Oklahoma and relayed the information via service radio and requested assistance. Supervisory Border Patrol Agent (SBPA) Rolando Bustinza requested Air Support from Omaha via KAK 966 Brownsville Communications.

BPA Jacob Gamboa responded to BPA Guerra's call for assistance and positioned himself in an open field west of where the subjects were last seen running towards, to conduct still watch of the open field. At approximately 7:15 p.m., Omaha (67 Alpha) arrived overhead and advised several subjects walking through thick Carrizo towards the agent's position. Agents observed approximately six to eight subjects coming from thick Carrizo towards the open field. Agents approached the subjects and identified themselves as U.S. Border Patrol Agents, all the subjects ran and discarded four bundles which was later confirmed to be marijuana.

Air Support Omaha (67 Alpha) maintained visual of the subjects that ran and was able to guide other responding Fort Brown Agents to their location, as a result Agent were able to locate and arrest six subjects, one juvenile and five adults.

At the Border Patrol Station, SBPA Raymundo Ramos used the Duquenois-Levine Reagent System ("E") and conducted a test of the suspected contraband and received a positive presumptive identification for marijuana.

DEA SAs James Wimberley and Elias L. Gonzalez individually provided the five subjects their respective Miranda warnings and individually the five subjects advised they understood their rights and they would voluntarily waive their rights and answer questions regarding the incident. All five suspects admitted to participating in smuggling the marijuana from Mexico in to the United States for monetary gain or for illegal passage from Mexico into the United States. Jose Guadalupe RAMIREZ Pesero informed agents that one bundle of marijuana was discarded in a

grapefruit orchard separately from the other four bundles that were recovered by Border Patrol Agents.

On 12/18/14, at approximately 5:30 a.m., BP Agents searched the grapefruit orchard described by RAMIREZ and located one single abandoned bundle of suspected marijuana. The gross weight of the five bundles weighed a total of 136.14 kgs.

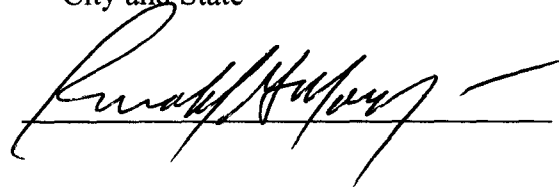


Signature of Complainant

Sworn to before me, and subscribed in my presence,

12/18/2014 at Brownsville, Texas
Date City and State

Magistrate Judge Ronald Morgan



Name and Title of Judicial Officer

Signature of Judicial